

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 12 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SHAHRIAR JABBARI; KAYLEE
HEFFELFINGER, on behalf of themselves
and all others similarly situated,

Plaintiffs-Appellees,

v.

ALEX CHERNAVSKY; WILLIAM
CASTRO,

Objectors-Appellants,

v.

WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.,

Defendants-Appellees.

No. 18-16316

D.C. No. 3:15-cv-02159-VC
Northern District of California,
San Francisco

ORDER

Before: GOULD and MURGUIA, Circuit Judges, and FEINERMAN,* District Judge.

We must determine whether the District Court's denial of Objectors-Appellants' motion for attorneys' fees in this case was an abuse of discretion.

See Vizcaino v. Microsoft Corp., 290 F.3d 1043, 1046 (9th Cir. 2002). To aid the

* The Honorable Gary Feinerman, United States District Judge for the Northern District of Illinois, sitting by designation.

court in this determination, we remand to the District Court for the limited purpose of providing more explanation regarding the District Court's order denying the motion. Specifically, we instruct the District Court to explain its conclusion that Objectors-Appellants' objection to the length of the claims period did not lead to an increase in the common fund or to a substantial benefit to the class. On appeal, Objectors-Appellants contend that their objection led to Plaintiffs-Appellees lengthening the claims period with an explicit reference to Objectors-Appellants' objection.

In order "to conduct a meaningful review," we require more explanation from the District Court for its denial of attorneys' fees. *See Stanger v. China Elec. Motor, Inc.*, 812 F.3d 734, 739 (9th Cir. 2016) (per curiam) (vacating and remanding a fee award to class counsel for lack of explanation); *see also Hensley v. Eckerhart*, 461 U.S. 424, 437 (1983) ("It remains important, however, for the district court to provide a concise but clear explanation of its reasons for the fee award."). We ask that the District Court provide its additional explanation within ninety days of the filed date of this order.

This case is withdrawn from submission and will be administratively closed until further order of our court. We will resume control and jurisdiction over this case upon receiving the District Court's response to this order.